

Estimated - P.M. 7



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Constance Hoops - Shipment of Inoperable Pickup
Truck as Part of Household Goods
File: B-225839
Date: May 6, 1987

DIGEST

An employee who ships an antique, inoperable pickup truck as part of her household goods incident to a transfer must bear the expense of shipping the pickup truck since that kind of a vehicle is expressly excluded from the definition of "household goods" that may be shipped at government expense. The facts that the truck is old and inoperable do not change its essential character to something other than a truck.

DECISION

The question in this case is whether or not a pickup truck, which is over 45 years old and inoperable, is included in the definition of "automobiles, trucks, vans and similar motor vehicles * * *" which are explicitly excluded by regulation from the classification of "household goods" that may be shipped at government expense incident to an employee's transfer.^{1/} We conclude that the age and condition of the pickup truck do not change its essential character as a "truck," or "similar motor vehicle," which is prohibited for shipment at government expense.

BACKGROUND

Ms. Constance Hoops, an employee of the U.S. Customs Service, transferred from Irving, Texas, to Brunswick, Georgia, in June 1986. Included as part of her 17,740-pound shipment of household goods was Ms. Hoops' 1940 pickup truck that she states she included in her household goods shipment because it was inoperable and she had no

^{1/} This responds to a request for a decision from Thomas E. Garrison, a U.S. Customs Service certifying officer at the National Finance Center.

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other way to transport it. The mover assessed a special charge for handling this kind of a bulky article of \$90.70 at the origin and the destination. The other charges for moving the pickup truck were based on the particular rates per 100 pounds for the transportation, storage, warehouse handling, and delivery out of the warehouse that were the same for all of the household goods. Ms. Hoops argues that because of its age and its inoperable condition, the pickup truck should be classified as an antique machine, similar to an antique typewriter or sewing machine, which would be included in the definition of "household goods" like the rest of the items she transported. She also believes that she was double billed for the charges because they were presented to her by the Customs Service in two separate statements of approximately \$800 each.

ANALYSIS AND CONCLUSION

The transportation of an employee's "household goods" incident to a transfer is authorized at government expense by 5 U.S.C. § 5724, "[u]nder such regulations as the President may prescribe." This authority is limited by another statutory provision stating in part that
" * * * [a]n authorization in a statute or regulation to transport the effects of an employee or other individual at Government expense is not an authorization to transport an automobile." 5 U.S.C. § 5727(a) (1982). Federal Travel Regulations, para. 2-1.4h, FPMR 101-7 (Supp. 4, October 1, 1982), incorp. by ref., 41 C.F.R. 101-7.003 (1986), implementing 5 U.S.C. § 5724 and 5727(a), expressly excludes "[a]utomobiles, trucks, vans and similar motor vehicles * * *" from being items of household goods that may be shipped at government expense. No exceptions are made for vehicles that are antiques or inoperable. Therefore, although Ms. Hoops' pickup truck may be an antique and inoperable, we conclude that it retains its essential character as a truck, an article that is expressly prohibited from being shipped at government expense. To hold otherwise on the basis Ms. Hoops suggests, would be to unlawfully allow indirectly what could not be accomplished directly because of the congressional prohibition in section 5727(a).

As to Ms. Hoops' concern that she has been charged twice for the expense of moving her pickup truck, the billed charges appear correct. In addition to the special charge for handling bulky articles, which the carrier applied to the handling of the truck at origin and destination, the charges consisted mainly of two separate amounts of approximately \$800. The first amount was based on the transportation rates per 100 pounds to move the shipment from Texas to temporary storage in a warehouse in Atlanta;

the second amount was based on the rates per 100 pounds to store, handle, and deliver it out of the warehouse to Ms. Hoops' residence in Brunswick. The Customs Service prorated the weight of the pickup truck to the entire weight of the shipment and used that percentage to calculate the percentage of the charges due for the pickup truck. To this amount it added the two \$90.70 special-handling charges specifically applicable to the truck. This is the proper procedure for computing charges due from the employee in a case such as this. See James Knapp, B-216723, August 21, 1985. The charges for the pickup truck thus amounted to \$1,738.90 out of the total charges for the household goods of over \$10,000. Since the charges for the pickup truck are attributable to an article that may not be shipped at government expense, they are subject to being recovered from Ms. Hoops.



Acting Comptroller General
of the United States